

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

MENACHEM YOULUS,

Defendant.

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x

CONSENT ORDER OF
FORFEITURE

12 Cr. 36 (CM)

WHEREAS, on or about January 5, 2012, MENACHEM YOULUS (the "defendant"), was charged in a two-count Information, 12 Cr. 36 (CM) (the "Information"), with mail fraud, in violation of Title 18, United States Code, Sections 1341 and 2 (Count One); and with wire fraud in violation of Title 18, United States Code, Sections 1343 and 2 (Count Two);

WHEREAS, the Information included a forfeiture allegation, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, of any property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses alleged in Counts One and Two of the Information, including but not limited to at least \$862,044.33 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offenses;

WHEREAS, on or about February 2, 2012 the defendant pled guilty to Counts One and Two of the Information and admitted the forfeiture allegation, pursuant to a plea agreement with the

Government, wherein the defendant agreed to forfeit a sum of money equal to \$862,044.33 in United States currency, representing all proceeds obtained directly or indirectly as a result of the offenses;

WHEREAS, the defendant consents to a money judgment in the amount of \$862,044.33 in United States currency, representing the proceeds obtained as a result of the offenses charged.

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Janis M. Echenberg, of counsel, and the defendant, and his counsel, Mark M. Baker, Esq. that:

1. As a result of the offenses charged in Counts One and Two of the Information, to which the defendant pled guilty, a money judgment in the amount of \$862,044.33 (the "Money Judgment") in United States currency shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Order of Forfeiture is final as to the defendant, MENACHEM YOULUS, upon entry of this order, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Treasury Department shall be authorized to deposit the payments on the Money Judgment

in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

5. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Treasury Department, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

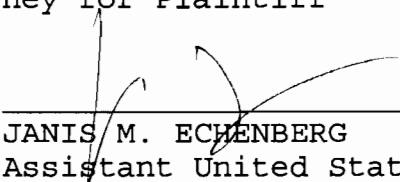
6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2 (e) of the Federal Rule of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

8. The signature page of this order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

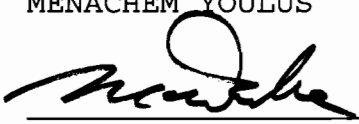
By: 
JANIS M. ECHENBERG
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2597

10-11-12
DATE

MENACHEM YOULUS

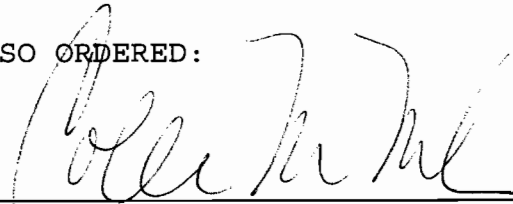
By: 
MENACHEM YOULUS

10-11-12
DATE

By: 
Mark M. Baker, Esq.
Brafman & Associates, P.C.
767 Third Avenue, 26th Floor
New York, New York 10017

10/11/12
DATE

SO ORDERED:


HONORABLE COLLEEN MCMAHON
UNITED STATES DISTRICT JUDGE

11/11/2012
DATE

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